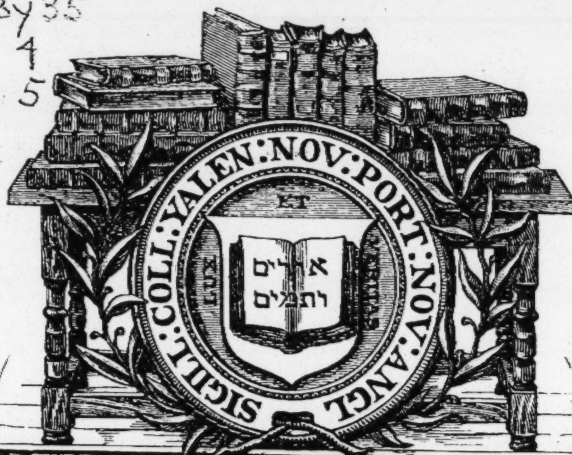


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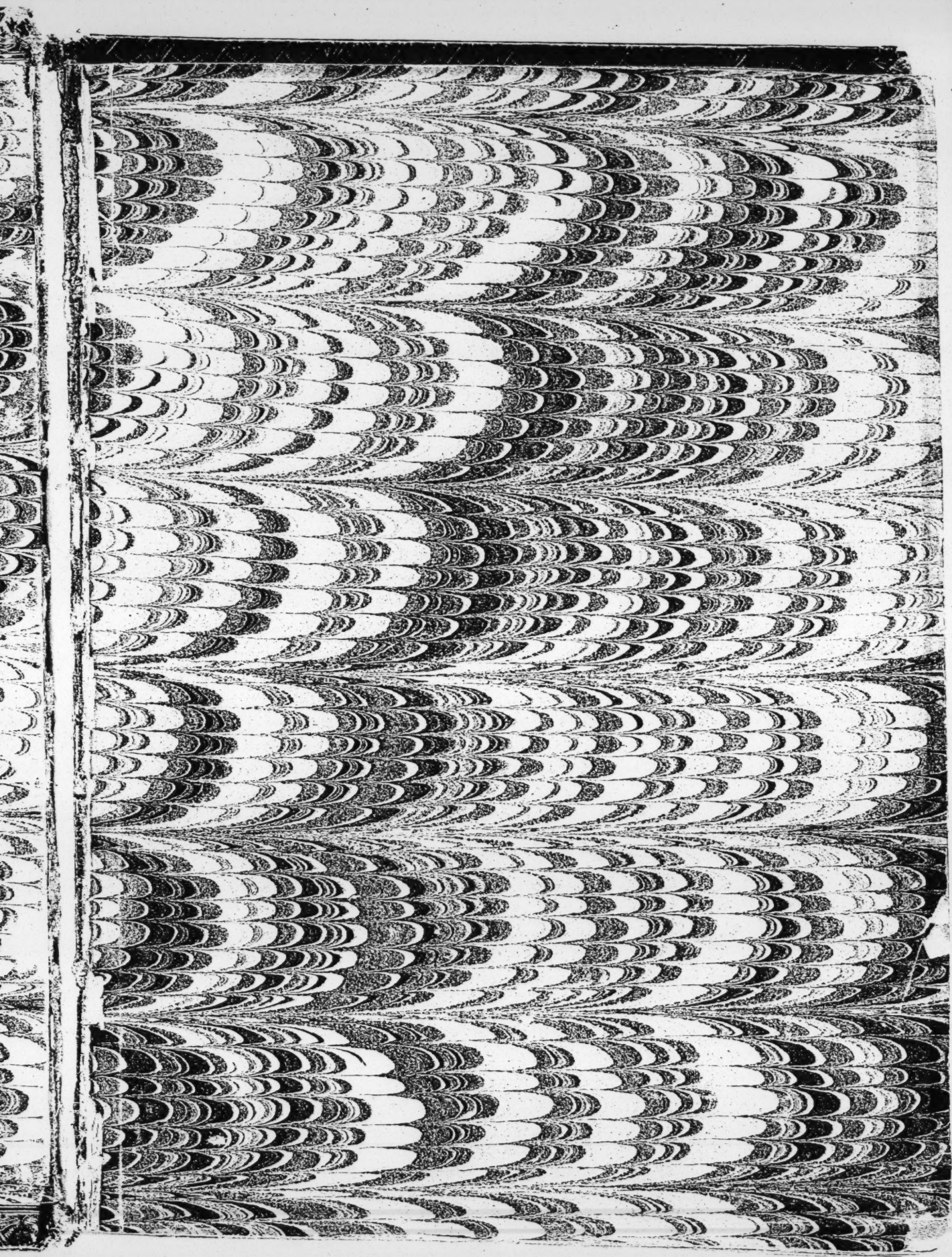
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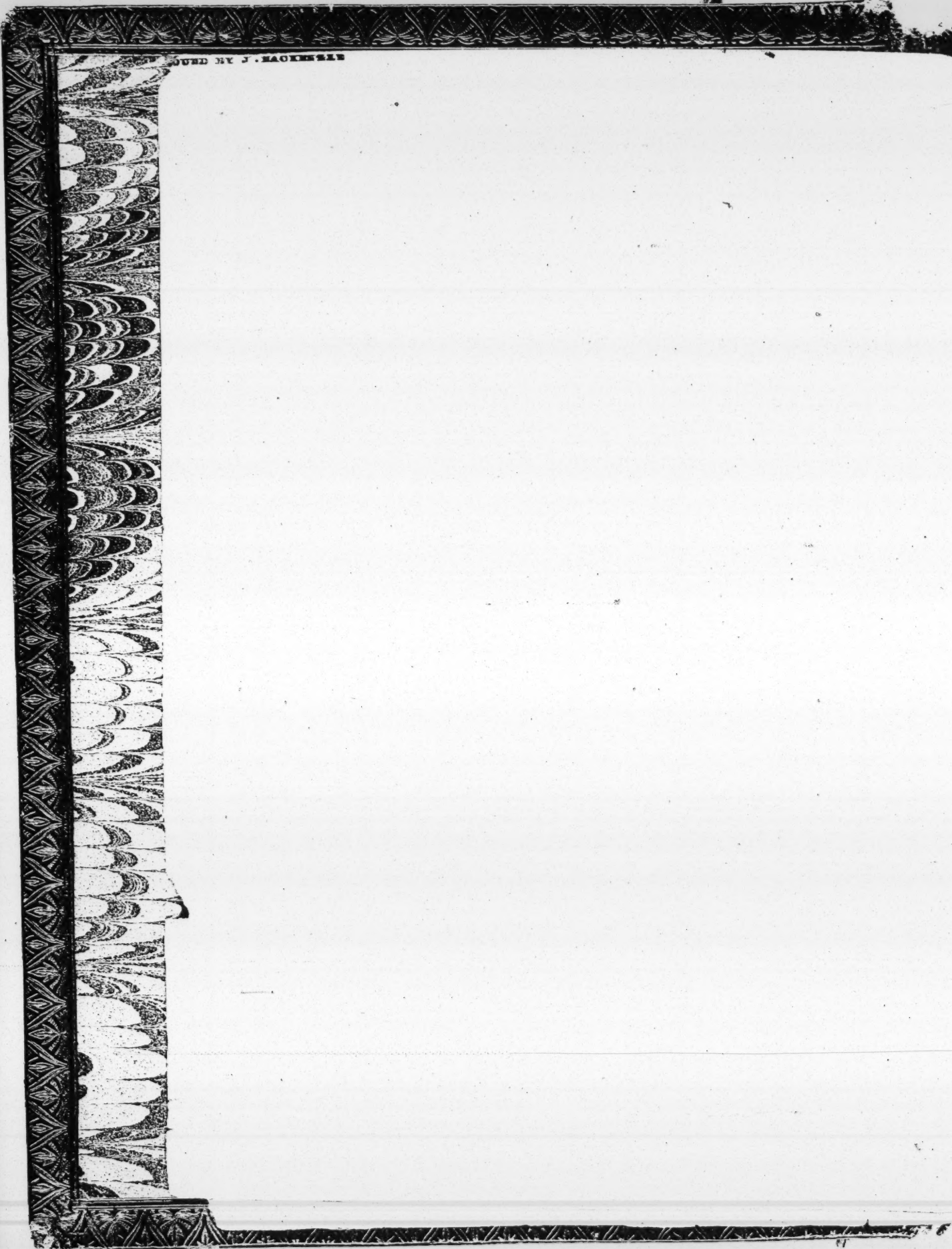
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HIS
MAJESTIES
ANSVVER, TO THE
PETITION;
CONCERNING THE DISBAND-
ING OF HIS GAVRD:

As also, His Proclamation forbiding all his Majesties Subjects, belonging to the Trained Bands, or *Militia* of this Kingdom, to Rise, March, Muster, or Exercise by vertue of any Order or Ordinance of one or both Houses of Parliament, without Consent or Warrant from His Majestie, upon paine of punishment according to the Law.

VVhereunto are annexed, two Orders of both Houses of Parliament: The one to all High Sheriffs, and other Officers within a hundred and fiftie Miles of the Citie of

Y O R K.

The other, in particular to the High Sheriffs, and other Officers, within the Countie of *Lancaster*: In generall, to all the Counties of *England*, and Dominion of *Wales*.

VVith Votes of both Houses of Parliament, and sundery Articles, or Acts of Parliament, to Confirm the same. Taken out of the Records of the Tower.

Die Sabbathi 28. May. 1642.

Ordered by the Lords in Parliament, that these Votes with the Articles, be forthwith Printed, and published.

Jo. Browne Cleric. Parliamentorum.

L O N D O N : Printed for W. Gaye. 1 6 4 2.

HIS MAIESTIES ANSVVER TO the Petition, concerning the disbanding of His Guard :

Presented to His Majestie at YORK, the 23. of May, 1642.



WE cannot but extreemly wonder, that the causlesse jealousies concerning Us, raised and fomented by a malignant Party in this Kingdom, which desires nothing more then to snatch themselves particular advantages out of a generall combustion (which means of advantage shall never be ministred to them by Our fault or seeking) should not onely be able to seduce a weak party in this Our Kingdom, but seem to find so much countenance even from both Houses, as that Our raising of a Guard (without further designe, then for the safety of Our Person; an action so legall in manner, so peaceable upon causes so evident and necessarie) should not onely be looked upon, and petitioned against by them, as a causlesse jealousie, but declared to be the raising of a war against them, contrary to Our former Professions of Our care of Religion and Law. And we no lesse wonder, that this Action of Ours should be said (in a very large expression,) to be apprehended by the Inhabitants of this Countrey, as an affrightment and disturbance to Our People; having been as well received here, as it is every where to be justified; and (We speak now of the generall, not of a few seduced particulars) assisted and sped by this Countrey, with that loyall affection and alacrity, as is a most excellent example set to the rest of the Kingdom, of care of Our safety upon all occasions, and shall never be forgotten by Us, nor we hope, by Our Posterity; but shall be ever payed to them in that which is the proper expression of a Princes gratitude, A perpetuall vigilant care to govern them justly, and to preserve the onely Rule by which they can be governed, The Law of the Land. And we are confident, That if you were your selves Eye-witnesses, you would see so the contrary, as to give little present thanks, and hereafter little credit to your Informers: And if you have no better intelligence of the inclinations and affections of the rest of the Kingdom, certainly the minds of Our People (which to some ends and purposes you represent) are but ill represented unto you.

Have you so many moneths together not contented your selves to rely for securitie (as your Predecessors have done) upon the affection of the people, but by your own single authority raised to your selves a Guard, (and that sometimes of no ordinary numbers, and in no ordinary way) And could not all those Pikes and Protections, that Army on one side, and that Navie on the other, perswade Us to command you to disband your Forces, and to content your selves with your ordinarie

(that

(that is, with no) guard, or work us in an opinion, that you appeared to leavy war against Us, or had any further designe: And is it possible that the same Persons should be so apt to suspect and condemne Us who have been so unapt in the same matter, (upon much more ground) to tax or suspect them? This is Our case, notwithstanding the care and fidelity of Our Parliament, Our Fort is kept by armed men against Us, Our proper goods, first detained from Us, and then, contrary to Our Command, by strong hand, offered to be carried away (in which at once all Our property, as a private Person, all Our Authority as a King, are wrested from Us;) and yet for Us to secure Our selves in a legall way (that Sir *John Hotbarn* may not by the same Forces, or by more raised, by pretence of the same Authority (for they say he raiseth daily some, and know it no new thing for him to pretend Orders that he cannot shew) continue the war that he hath leaved against Us, and as well imprison Our Person, as detain Our Goods, and as well shut Us up in *York*, as shut Us out of *Hull*) is said to be esteemed a cause of great jealousy to the Parliament, a raising War against them, and of danger to the whole Kingdom. While these Injustices and Indignities offered to Us are countenanced by them who ought to be most forward in our vindication and their punishment, in observation of their Oathes, and of the trust reposed in them by the people, and to avoid the dissolution of the present Government: Upon which case the whole world is to iudge, whether We had not reason, not wholly to relie upon the care and fidelity of Our Parliament (being so strangely blinded by malignant spirits, as not to perceive Our injuries) but to take some care of Our owne Person, and in order to that, to make use of that Authority which the Lawes declare to be in Vs: And whether this Parliament, with such a threatening conclusion, accompanied with more threatening Votes, gives Vs not cause rather to encrease then to diminish Our guard, especially since We saw before the Petition a printed paper, dated the 17. of *May*, under written *Hen. Elsing. Cler. D. Com.* commanding (in the name of both Lords and Commons) the Sheriffs of all Our Counties, to suppress such of Our subjects, as by any of Our Commands shall bee drawne together, and (as that paper calls it) in a posture of War, charging Our Officers and Subjects to assist them in the performance thereof, at their perils: For though We cannot suspect, that this paper (or any bare votes, not grounded upon Law or Reason, or quotation of repealed Statutes) should have any ill influence upon Our good people, who know their duties too well, not to know, that to take up armes against those, who upon a legall Command (that is Ours) come together to a most legall end (that is, Our security and preservation) were to leavy war against Us, and who appeare in this County (no lesse satisfied with the legality, convenience and necessity of these Our Guards, and no lesse sensible of the indignities and dangers (which makes it necessary.) then We are Our selves: Yet if that Paper be really the Act of both Houses, We cannot look upon it, but as the highest of scornes and indignities, first, to issue commands of force against Us, and after those have appeared uselesse to offer by petition, to perswade Us to that which that force should have effected.

We conclude this Answer to your Petition, with Our counsell to you, That you oyne with Us in exacting satisfaction for that unparalleled, and yet unpunished action of Sir *John Hotbarns*; and that you command Our Fort and Goods to bee returned to Our owne hands, that you lay downe all pretences (under pretence of necessity, or declaring that is Law) to make Laws without Vs, and (by consequence)

put a cypher of Vs; that you declare effectually against Tumults, and call in such Pamphlets, (punishing the authors and publishers of them) as seditiously endeavour to disable Vs from protecting Our people, by weakning (by false Aspersions; and new false Doctrines) Our Authority with them, and their confidence in Vs. The particulars of which Tumults and Pamphlets Wee would long since have taken care, that Our learned Councell should have been enabled to give in evidence, if upon Our former offer We had received any returne of encouragement from you in it. And if you do this, you then (and hardly till then) will perswade the world, that you have discharged your duty to God, the trust reposed in you by the people, and the fundamentall Lawes and Constitutions of the Kingdome, and employed your care and utmost power to secure the Parliament, (for We are still a part of the Parliament, and shall be till this wel-founded Monarchy be turned to a Democracy) and to preserve the peace and quiet of the Kingdom; Which, together with the defence of the Protestant profession, the Laws of the Land, and Our own just Prorogative (as a part of, and a defence to those Lawes) have been the maine end, which in Our Consultations and Actions, We proposed to Our Selfe.



¶ A Proclamation by the King.

WHereas by the Statute made in the seventh Yeer of King Edward the first, *The Prelates Earls, Barons, and Commonalty of the Realm affirmed in Parliament, That to the King it belongeth, and His part it is by his Royall Seigniority, straitly to defend wearing of Armour, and all other Force against the Peace; at all times when it shall please Him, and to punish them which shall do contrary, according to the Laws and Usages of the Realme; and hereunto all subiects are bound to aid the King as their Sovereign Lord at all seasons, when need shall be.* And whereas We understand, that expressly contrary to the said statute, and other good Laws of this Our Kingdom under colour and pretence of an Ordinance of Parliame^t, without Our Consent, or any Commission or Warrant from Us, The Trained Bands, and Militia, of this Kingdom have been lately, and are intended to be put in Arms, and drawn into companies in a war-like manner, whereby the Peace and Quiet of Our subjects is, or may be disturbed: We being desirous by all gracious and fair Admonitions to prevent, That some malignant Persons in this Our Kingdom, do not by degrees seduce Our good Subjects from their due obedience to Us, and the Laws of this Our Kingdom, subtilly endeavouring by a generall Combustion or Confusion, to hide their mischievous Designs and intentions against the Peace of this Our Kingdom, and under a specious pretence of putting Our Trained Bands into a Posture, draw and engage Our good subjects in a warlike Opposition against Us, as Our Town of *Hull* is already, by the Treason of Sir *John Hotham*, who at first pretended to put a Garrison into the same, onely for Our Security and Service.

We do therefore by this our Proclamation expressly charge and Command all Our Sheriffs, and all Colonels, Lieutenant-Colonels, Serjeant Maiors, Captains, Officers,

Officers, and Souldiers belonging to the Trained Bands of this Our Kingdom, and likewise all high and Petty Constables, and other Our Officers and Subjects whatsoever, upon their Allegiance, and as they tender the Peace of this Our Kingdom, Not to Muster, Leavy, Raife or March, or to Summon or Warn upon any Warrant, Order, or Ordinance from one or both Our Houses of Parliament (whereto We have not, or shall not give Our expresse Consent) any of Our Trained bands, or other Forces, to Rise, Muster, Match, or Exercise, without expresse Warrant under our Hand, or Warrant from Our Sheriff of the County, grounded upon a particular Writ to that purpose, under Our great Seal. And in case any of our Trained Bands shall Rise, or gather together, contrary to this Our Command, We shall then call them in due time to a strict Account, and proceed Legally against them as Violaters of the Laws, and Disturbers of the Peace of the Kingdom.

Given at Our Court at York the seven and twentieth day of May, 1642.

¶ By the King.

Our will and Pleasure is, That the Ministers, Freeholders, Farmers, and substantiall Copy-holders of this our county of York, do assemble and meet together at *Heworth Moor*, neer Our City of York, upon Friday in Whitsun week (according to former summons) by nine of the clock in the Morning. For that We are informed there are divers Fayrs to be kept in this Our County the day following, at which time many of them may have necessary occasions to be absent: and therefore, out of our tenderneffe and care of our good Subjects, We have thought fit to give this early notice, to the end the said Inhabitants may be put to as little prejudice as may be. And this Our pleasure We require to be forthwith Printed, and Copies thereof to be speedily published and dispersed by the Sheriff of this County: For which this shall be sufficient Warrant.

Given at our Court at York, the seven and twentieth day of May, 1642.

Die Veneris 27 Maii. 1642.

WHereas it appeares to the Lords and Commons, that the King seduced by wicked Counsell, intends to make warre upon his Parliament. It is therefore Ordered by the Lords and Commons, that the High Sheriffes, and Justices of the Peace, and other Officers, within the same Counties, Cities, and Townes Corporate, situate within 150. Miles of *Yorke*, shall forthwith take speciall care for to make stay of all Armes, and Ammunition carrying towards *Yorke*, untill they have given notice thereof unto the Lords and Commons, and shall have received their further direction. And for the better affecting hereof, the said High Shrieves, Justices of the Peace, and other officers, are further to take speciall care, that strict watches be kept within their severall limits, and

V Hereas it appears, that the King seduced by wicked Counsell, intends to make war against the Parliament, and under the colour of a guard to secure his royal Person, doth command troops both of Horse and Foot to assemble at York; All which is against the Laws of the Kingdom, tending to the dissolution of the Parliament, and destruction of his people. It is therefore ordered by the Lords and Commons in Parliament, that the Sheriffes of the County of Lancaster, and all other Sheriffes of the Kingdom of England, and Dominion of Wales, shall by the power of that County, and of their severall Counties, respectively, suppress the raising, and coming together of any Souldiers, Horse or Foot, by any warrant, commission, or order from His Majesty, without the advise and consent of the Lords and Commons in Parliament; And that all persons whatsoever do forbear to execute any such commission, or warrant for levying Souldiers, or gathering them together without consent of Parliament; And those who shall execute, or obey any such Commission, or warrant, are hereby declared to be disturbers of the peace of the Kingdom. And the Lord Lieutenant of the County of Lancaster, and all Lords Lieutenants of all other Counties in the Kingdom of England, or Dominion of Wales respectively, as likewise all deputy Lieutenants, Captains and Officers of the Trained Bands, and all Majors, Justices of peace, and other his Majesties loving Subjects, are hereby commanded, and required to be aiding, and assisting to the said Sheriffe of the County of Lancaster, and to the other Sheriffes of the Counties of this Kingdom, and of the Dominion of Wales; And that his Majesties loving Subjects may the better understand what the Law, and their own duty is in this behalf, the said Sheriffe of Lancashire, and other Sheriffes of the other Counties of this Kingdom respectively, shall cause this present Order, forthwith to be published in the severall Market Towns within their said Counties.

Ordered by the Lords in Parliament that these shall be forthwith Printed and published.
John Browne, Cler. Parl.

I Tim by the said encroachment, the aforesaid *Alexander Arch-bishop of Yorke, Robert de Vere Duke of Ireland, Michael de la poole Earle of Suffolke, Robert Treffilean false Iustice, and Nichol. Brembre false Knight of London*, have done that, whereas at the last Parliament, all the Lords and other wise men and Commons there assembled, seeing the losse of the King and his Kingdome eminent, as well for the perils and mischiefs aforesaid, as that the King was departed from the Councell of the Kingdome, and harkened wholly to the Councell of the aforesaid malefactors and traytors, as also because the French King with his Royall power was shipt upon the Sea, ready to have come into England to destroy the Kingdom, and the English tongue, and that no ordinance nor government was then established

ed for the safety of the King nor of the kingdome, they knew not other remedy thereupon, but remonstrated unto the King at full, how that he was ill governed, counselled, and carried away, by the aforesaid traytors and malefactors, declaring unto him their wicked conditions, and required him most humbly as his loyall subiects for the safety of him, and of his whole kingdome, and for the avoyding of the perils aforesaid, to let go and put from him the aforesaid malefactors and traytors out of his presence and companie, and that he would not doe hereafter according to their wicked counsells, but that he would follow the wise, loyall, and discreet men of the kingdome, and thereupon the said traitors and malifactors, seeing this good and honorable opinion of the Parliament, and to disturbe their good purposes therein, by their false counsell caused our Lord the King to command the Maior of London to cause a great power of the people of London to be suddenly leevied, for to kill and to put to death all the said Lords & Commons except only such as were of there party, at the doing of which wicked act, the said great malefactors, and traitors should have been parties and present to the destruction of the King and all his Realme.

Article 29. *Item*, For to accomplish this high treason aforesaid by their counsell, the aforesaid *Alexander* Arch-bishop of Yorke, *Robert Veere* Duke of Ireland, and *Michael de la poole* Earle of suffolke, caused the King to send his Letters of Credence to his adversary the *French King*: some by one *Nicholas Solthwell*, Groome of his Chamber, and some by other persons of meane fortune, as well Aliens as Denizeners, requiring and praying the said *French King*, that with his power and Counsell he would be aiding and assisting to our Lord the King to destroy and to put to death the said Lords, and other English, which the King then held his enemies and traitors, as before, to the great disquiet and trouble of his whole kingdom.

Article 30. *Item*, The aforesaid *Alexander* Archbishrp of York, *Robert de Veere* Duke of Ireland *Michael de la poole* Earle of Suffolke, encroaching unto themselves Royall Power, caused the King to promise unto the *French King*, and his power, for to accomplish that high treason, prodicion, and murder, to give and surrender unto the said *French King*, the Towne and Castle of Calis, and all other Castles and Forts in the March of Picardy and Artoys, the Castles & Townes of Chirlurge, and of Brerte, to the great dishonour, trouble & damage of the King & of his Kingdome.

Article 37. *Item*, the aforesaid *Alexander* Arch B. of Yorke, *Robert de Veere* Duke of Ireland, *Michael de la poole* Earle of Suffolke, *Robert Trelfyllian* false Justice, and *Nicholas Brenbre* false Knight of London, malefactors and Trators, during the time of the said protection, to the overthrowing of the said appeale, falsely Counsellled, and caused the King to commend by his letters divers Knights, Esquires, his Sheriffs, and other his officers of divers Counties to raise and assemble all the power that they could to come with the said Duke of Ireland, against the aforesaid other Lords Appellants, suddenly to make war against them and destroy them.

Article 38. *Item*, During the time of the said Protection, the aforesaid *Robert de veere* Duke of Ireland, *Michael de la poole*, Earle of Suffolke, *Alexander* Archbishop of York, *Nicholas Brenbre* false Knight of London, caused the King by his Letters, to signifie to the said Duke of Ireland, how that he and others were appealed of Treason by the said *Thomas*, Duke of Glocester, Constable of England, *Richard* Earle of *Arundell* and *Surry*, and *Thomas* Earle of *Warwick*, and how that the King had thereupon given day to the said Parties. with their Men, Goods, and Chattells, into his speciall Protection, and besides, it was contained in the said

said Letters of the King, that if the said Duke had sufficient power, he should not faile to come on with all his foresaid Power; and to come to the King; and soone after they procured the King, to write unro the said Duke of Ireland, that hee should take the field, with all his Power, which he could gather together, and that the King would meet him with all his power, and that the King would with him put in hazard his Royall person; and that the King was in great danger himselfe and his whole Kingdom, if he were not helped and succoured by the said Duke of Ireland, And that the Duke of Ireland should make known this unro all the men that were assembled unto him; and that the King would pay all the wages, and charges of the said Duke of Ireland, and of all the men assembled by him, by vertue of which letters, and the malicious and traiterous exitations as well of the said Duke, as of his Adherents and all the other malefactors and traitors, the said Duke of Ireland assembled a great number of men at armes and Archers, as well the Counties of Lancaster, Chester, and Wales, as of other places of the Kingdom, to destroy, and to put to death the foresaid Lords, and all other which were assisting to the making of the said Ordinance, Statute and Commuision, unto the destruction of the King and his Kingdom.

Article 30. *Item* the said *Robert de veere* Duke of Ireland, false traytor to the King and Kingdom, assembled a great power of men at Armes, and Archers of the Counties of Lancaster, Chester, and Wales, and of divers other places, to the intent to have traiterously destroyed so far as in him lay, the Lord *Thomas* Duke of Gloucester Constable of England, *Henry* Earl of Derby, *Richard* Earl of Arundell and Surrey, *Thomas* Earl of Warwick, and *Thomas* Earl Marshall, and other loyall Subjects of our Lord the King, as well to the destruction and annihilation of our Lord the King, and of his whole Kingdom; and so he rid with great power and force of men at Arms, and Archers, from the Countrey of Chester through the Kingdom, till he came near to a certain place, which place is called Rotcotbridge, neere to Cotswold, inchroaching to himselfe Royall power, caused the banner of the King to be displayed in his company, contrary to the dignity of the King and of his Crown, at which time the said Duke of Ireland and his company, were by the grace of God, disappointed of their wicked purpose.

Memorand. That the same Roll containing the Petition of the foresaid appeal distinguished by Articles as above by quotation is marked, was delivered in the present Parliament, by the foresaid Duke, and Earls appellants; and *Memorand.* that afterwards in the same Parliament, the 1. 2. 11. 15. 17. Articles foresaid are declared, and adjudged treason, and every one of them is declared and adjudged treason, And that that which is contained in the 22. Article of the foresaid Articles concerning the levying of men, to make war and destroy the Lords and Lieges of the King is likewise declared and adjudged treason. And that the 28. 29. 30. 31. 32. 37 38. 39. Articles foresaid, are also declared and adjudged Treasons, and every one of them is declared and adjudged treason, as is set down in the Record and the processe annexed and affixed to this Roll on the back side of the said Roll by these words, *quelle petition in presence du Roy nre dit Sr. &c.*

This judgement was confirmed by Act of Parliament, 11. R. 2. ca. 3. 1 H. 4. ca. 3. and 4. of the old printed statutes, and the said statute 1 H. 4. repeals and makes void the Parliament of 21. R. 2. and all the proceedings thereof, in which forc'd and tumultuary Parliament, the Acts of the Parliament of 11. R. 2. had been reversed.

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